

AGENDA

CANFIELD CITY COUNCIL

March 17, 2021 -5:30 P.M.

FRANCIS J. McLAUGHLIN MUNICIPAL BUILDING

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call: Quorum is Present - Meeting is in Session.
4. Proclamations & Presentations.
5. Approval of Minutes.
6. Reading of Communications.
7. Reports of Committees, Boards, Mayor's Report, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Superintendent.
8. Public questions from residents (or representative) related to the above referenced reports. Questions may be limited to three (3) minutes.
9. Recognition of Persons Desiring to Appear Before Council.

10. OLD BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

- A. An Ordinance Adopting A New Subdivider's Agreement to be Entered Into with the City of Canfield.

Public Comments

11. NEW BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

- A. Annual Appropriation Ordinance to Make Appropriations For Current Expenses And Other Expenditures Of The City of Canfield, State of Ohio, During the Fiscal Year Ending December 31, 2021.

Public Comments

- B. An Ordinance Providing Transfers to Various Funds.

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Introduced by: Mr. Tieche
First Reading: February 17, 2021

AN ORDINANCE ADOPTING A NEW SUBDIVIDER'S AGREEMENT TO BE ENTERED INTO WITH THE CITY OF CANFIELD

WHEREAS, section 1113.01 (b) of the Codified Ordinances requires that the City of Canfield and a subdivider enter into a Subdivider's agreement regarding the instruction of improvements to be located within a Subdivision, and

WHEREAS, the Law Director, Zoning Inspector and City Manager recommend that a new form of Subdivider's agreement be adopted for use pursuant to Ordinance Chapter 1113.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Canfield;

Section 1. That a new Subdivider's Agreement in the form attached hereto as Exhibit 1 is hereby adopted by the City of Canfield for execution as contemplated in Chapter 1113 of the Codified Ordinance of the City.

Section 2. That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield

PASSED IN COUNCIL THIS _____ day of _____, 2021.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to wit: _____

RECORD OF ORDINANCES

1

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Introduced By: _____

First Reading: _____

ORDINANCE

ANNUAL APPROPRIATION ORDINANCE TO MAKE
APPROPRIATIONS FOR CURRENT EXPENSES AND
OTHER EXPENDITURES OF THE CITY OF CANFIELD,
STATE OF OHIO, DURING THE FISCAL YEAR
ENDING DECEMBER 31, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF CANFIELD, MAHONING COUNTY, OHIO:

Section 1: To provide for the current expenses and other expenditures of the
said City of Canfield during fiscal year ending December 31, 2021, the following sums be and
they are hereby set aside and appropriated as follows, viz:

Annual Appropriation

General Fund

Mayor and Council

Personal Services	59,610.00
Travel	400.00
Contractual Services	12,905.00
Supplies and Materials	2,900.00
Capital Outlay	1,025.00
Other Uses	0.00

Total Mayor and Council	76,840.00
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City Manager

Personal Services	206,450.00
Travel	500.00
Contractual Services	11,000.00
Supplies and Materials	5,635.00
Capital Outlay	2,050.00
Other Uses	0.00

Total City Manager	225,635.00
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Mayor's Court

Personal Services	39,125.00
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RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

Contractual Services	10,175.00
Supplies and Materials	0.00
Total Municipal Attorney	72,925.00

General Services

Travel	0.00
Contractual Services	107,100.00
Supplies and Materials	4,250.00
Capital Outlay	0.00
Total General Services	111,350.00

Cardinal Joint Fire District Reimbursement

Travel	0.00
Contractual Services	10,300.00
Supplies and Materials	27,000.00
Capital Outlay	0.00
Other Uses	0.00
Total Cardinal Joint Fire District Reimbursement	37,300.00

IT Department

Personal Services	208,150.00
Travel	0.00
Contractual Services	10,400.00
Supplies and Materials	4,700.00
Capital Outlay	4,050.00
Other Uses	0.00
Total IT Department	227,300.00

Street Lights

Contractual Services	42,600.00
Total Street Lights	42,600.00

Police Department

Personal Services	2,313,000.00
Travel	5,000.00
Contractual Services	263,360.00
Supplies and Materials	199,650.00
Capital Outlay	120,300.00
Debt Service	162,400.00
Other Uses	0.00
Total Police Department	3,063,710.00

Police Department (OCIS Coronavirus)

Supplies and Materials	9,397.24
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RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

Personal Services	10,435.00
Travel	0.00
Contractual Services	4,100.00
Supplies and Materials	1,675.00
Capital Outlay	0.00
Other Uses	240.00
Total Greasel Park	16,450.00
Greasel Park (Parks Board)	
Travel	0.00
Contractual Services	50.00
Supplies and Materials	2,550.00
Capital Outlay	0.00
Total Greasel Park (Parks Board)	2,600.00
Greasel Park (Playground Equipment)	
Contractual Services	0.00
Supplies and Materials	715.00
Capital Outlay	0.00
Total Greasel Park (Playground Equipment)	715.00
Fair Park	
Personal Services	10,110.00
Travel	0.00
Contractual Services	17,660.00
Supplies and Materials	2,700.00
Capital Outlay	0.00
Other Uses	5,000.00
Total Fair Park	35,470.00
Fair Park (Parks Board)	
Travel	0.00
Contractual Services	10.00
Supplies and Materials	0.00
Capital Outlay	0.00
Total Fair Park (Parks Board)	10.00
Transfers	
Transfers	0.00
Total Transfers	0.00
Grand Total Parks Fund	69,030.00

Parks and Village Green Trust Fund

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Street C M & R Fund**Street C M & R Operating**

Personal Services	429,650.00
Travel	500.00
Contractual Services	183,585.00
Supplies and Materials	208,550.00
Capital Outlay	744,561.00
Debt Service	23,600.00

Total Street C M & R Operating	1,590,446.00
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Street C M & R (Parks Board)

Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00

Total Street C M & R (Parks Board)	0.00
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Other Uses/Transfers

Advances	0.00
Transfers	0.00

Total Other Uses/Transfers	0.00
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Grand Total Street C M & R Fund	1,590,446.00
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State Highway Fund

Travel	0.00
Contractual Services	29,800.00
Supplies and Materials	42,350.00
Capital Outlay	0.00

Total State Highway Fund	72,150.00
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Street Lighting Special Assessment Fund**Street Lighting Miscellaneous**

Contractual Services	0.00
Transfers	0.00

Total Street Lighting Miscellaneous	0.00
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Street Lights-Topaz Cir

Contractual Services	2,820.00
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Total Street Lights-Topaz Cir	2,820.00
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RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

Street Lights-Preserve-Plat 8-Mallard Crossing

Contractual Services 1,530.00

Total Street Lights-Preserve-Plat 8-Mallard Crossing 1,530.00

Street Lights-Preserve-Plat 9-Woodland Run/Oakview Crossing

Contractual Services 1,420.00

Total Street Lights-Preserve-Plat 9-Woodland Run/Oakview Crossing 1,420.00

Street Lights-Stonebridge Plat 7-Alabaster/Charleston

Contractual Services 1,420.00

Total Street Lights-Stonebridge Plat 7-Alabaster/Charleston 1,420.00

Street Lights-Stonebridge Plat 6-Lake Wobegon/Timber Run

Contractual Services 1,420.00

Total Street Lights-Stonebridge Plat 6-Lake Wobegon/Timber Run 1,420.00

Street Lights-Kings Lake Subdivision

Contractual Services 4,670.00

Debt Service 35,650.00

Total Street Lights-Kings Lake Subdivision 40,320.00

Grand Total Street Lighting Special Assessment Fund 76,024.00

Red Gate Operating Fund

Personal Services 0.00

Travel 0.00

Contractual Services 28,500.00

Supplies and Materials 2,550.00

Capital Outlay 0.00

Debt Service 0.00

Other Uses 0.00

Transfers 0.00

Total Red Gate Operating Fund 31,050.00

Police Department Operating Levy Fund

Personal Services 551,175.00

Travel 0.00

Contractual Services 28,550.00

Supplies and Materials 60,000.00

Capital Outlay 125,384.00

Debt Service 32,700.00

Other Uses 0.00

Total Police Department Operating Levy Fund 797,809.00

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20 _____

Debt Service-Principal	75,020.00
Debt Service-Interest	5,850.00
Total Red Gate Debt Retirement Fund	80,870.00

Total Debt Service Funds	80,870.00
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Capital Projects Funds

General Capital Improvement Fund	
Capital Outlay	0.00
Transfers	0.00
Total General Capital Improvement Fund	0.00

Total Capital Projects Funds	0.00
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Permanent Funds

Cemetery Perpetual Care Fund	
Contractual Services	0.00
Transfers	0.00
Total Cemetery Perpetual Care Fund	0.00

Total Permanent Funds	0.00
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Proprietary Funds

Water Enterprise Funds

Water Operating Fund	
Personal Services	232,575.00
Travel	500.00
Contractual Services	1,374,060.00
Supplies and Materials	136,325.00
Capital Outlay	143,644.00
Debt Service	0.00
Other Uses	500.00
Transfers	0.00
Total Water Operating Fund	1,887,604.00

Waterline Improvements Fund	
Contractual Services	0.00
Capital Outlay	342,930.00
Debt Service	14,100.00
Other Uses	0.00

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GOVERNMENT FORMS & SUPPLIES (644) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Transfers	0.00
Total Cemetery Endowments Fund	0.00
Total Private Purpose Trust Funds	0.00
Grand Totals All Funds	14,890,641.66

Section 2: And the Finance Director is hereby authorized to draw warrants for payments from any of the foregoing appropriations to make expenditures for items of expense constituting a legal obligation against the City.

Section 3: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2021.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to-wit:

_____.

CLERK OF COUNCIL

APPROVED AS TO FORM:

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Introduced By: _____

First Reading: _____

ORDINANCE

AN ORDINANCE PROVIDING TRANSFERS TO VARIOUS FUNDS.

WHEREAS, it is necessary to transfer funds to various funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
CANFIELD, MAHONING COUNTY, OHIO:

Section 1: The Finance Director is hereby authorized to transfer the following
funds:

From:	To:	
General Fund	Parks Fund	25,000.00
General Fund	Cemeteries Fund	45,000.00
Total		<u><u>70,000.00</u></u>

Section 2: That this Ordinance and all deliberations relating to the passage of
this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of
the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2021.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, hereby certify that
the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield,
Ohio for seven continuous days, to-wit:

_____.

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Introduced by: _____

First Reading: _____

AN ORDINANCE AMENDING WATER DEPARTMENT STANDARD SPECIFICATIONS

WHEREAS, Appendix F, to Part Eleven, Title One of the Subdivision and Land Development Regulations of the Codified Ordinances of the City contain Water Department Standard Specifications, and

WHEREAS, the City Engineer has recommended amending such specifications.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF CANFIELD, COUNTY OF MAHONING, AND STATE OF OHIO;

Section 1. That the Water Department Standard Specifications attached hereto are hereby adopted to replace that same section of Part Eleven, Title One, Appendix F of the Subdivision and Land Development Regulations of the City.

Section 2. That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ day of _____, 2021.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to wit: _____

RECORD OF ORDINANCES

1

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

Introduced By: _____

First Reading: _____

ORDINANCE

AN ORDINANCE CONTROLLING POST- CONSTRUCTION WATER QUALITY RUNOFF

WHEREAS, flooding and streambank erosion in the City of Canfield are a significant threat to public health and safety and public and private property, and storm water quantity control slows runoff and reduces its erosive force, and flood damage; and

WHEREAS, insufficient quality of storm water runoff can result in significant damage to receiving water resources, impairing the capacity of these resources to sustain aquatic systems and their associated aquatic life use designations; and

WHEREAS, there is a regional effort to improve the quality of water in the rivers, streams, ponds, and lakes within various watersheds in Community and to protect and enhance the water resources of the Community, and the City of Canfield recognizes its obligation as a part of a watershed and the region to protect water quality by controlling runoff within its borders; and

WHEREAS, the City of Canfield has experienced and continues to experience significant costs associated with inadequate surface water quality including legal fees, engineering services, and increased state and federal regulation; and

WHEREAS, Title 40 Codified Federal Register (C.F.R.) Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, require designated communities, including the City of Canfield, to develop a Storm Water Management Program to address the quality of storm water runoff, among other components, during and after soil disturbing activities; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution and Chapter 1511 of the Ohio Revised Code grants municipalities the legal authority to adopt rules to abate water pollution by soil sediments; and

WHEREAS, to promote public health and safety and sound economic development in the Community, it is important to provide homebuilders, developers, and landowners with consistent, technically feasible, and operationally practical standards for water quality runoff management; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF CANFIELD, STATE OF OHIO:

Section 1: **933.01 COMMUNITY DEFINED:** Throughout this regulation the Community shall mean the City of Canfield, State of Ohio, and its designated agents and representatives.

933.02 COMPREHENSIVE STORM WATER MANAGEMENT PLAN: The Post

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

(c) These regulations shall not be construed as authorizing any person to maintain a private or public nuisance on their property. Compliance with the provisions of this regulation shall not be a defense in any action to abate such nuisance.

(d) Failure of the Community to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the Community, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

933.06 EFFECTIVE DATE: This ordinance and its regulations shall become effective upon their passage.

933.07 SCOPE: This ordinance applies to development areas having new or relocated projects involving highways, underground cables, pipelines, subdivisions, industrial projects, commercial projects, building activities on farms, redevelopment of urban areas and all other land uses not specifically exempted. This ordinance does not apply to:

- (a) Land-disturbing activities related to producing agricultural crops or Silviculture operations regulated by the Ohio Agricultural Sediment Pollution Abatement Rules (1501: 15-03-01 to 1501: 15-3-09 of the Ohio Administrative Code) and existing at the time of passage of this regulation.
- (b) Strip mining operations regulated by Chapter 1513 of the Ohio Revised Code and existing at the time of passage of this regulation.
- (c) Surface mining operations regulated by Chapter 1514 of the Ohio Revised Code and existing at the time of passage of this regulation.
- (d) Linear construction projects, (e.g., pipeline or utility line installation), which do not result in the installation of impervious surface and are independent of other construction projects (not part of a larger common plan of development or sale). However, linear construction projects must be designed to minimize the number of stream crossings and the width of disturbance.
- (e) Transportation projects that are subject to industry specific Ohio EPA Rules are exempt from these rules.
- (f) It is not the role of the community to point out each and every part of the rules and how to implement them on the individual job sites. It is the project owner's responsibility to be proactive in meeting the intent, purpose and requirements of these regulations.

RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20____

<u>Rain Event</u>	<u>24-Hour Rainfall (in)¹</u>	<u>Pre-Developed Runoff (cfs)</u>	<u>Allowable Discharge (cfs)</u>	<u>Post- Developed Runoff (cfs)³</u>	<u>Post-Developed Runoff with Proposed BMP (cfs)⁴</u>	<u>Required Storage Volume (cf)</u>
<u>2 Year</u>						
<u>5 Year</u>						
<u>10 Year</u>						
<u>25 Year</u>						
<u>50 Year</u>						
<u>100 Year</u>						

¹ 24-hour rainfall rates are provided in Table 2-3 of the Mahoning County Drainage Criteria and Stormwater Manual.

² Allowable discharge rates are based on the critical storm guidelines.

³ Post-developed runoff is based off post-construction conditions in the absence of post-construction BMPs.

⁴ Post-developed runoff when BMPs are installed and stormwater is routed through an approved outlet structure.

- n) A construction cost-estimate of the proposed stormwater improvements including on-site collection and post-construction BMP(s).
- o) The Post-Construction Stormwater Management Report shall be prepared and stamped by a Professional Engineer and must include hydraulic calculations that establish the adequacy of the drainage system of the proposed development site so as not to create or worsen drainage problems upstream and downstream of the site.

The construction drawings shall show the following:

a) Site Description:

1. The prior land uses of the site
2. The nature and type of construction activity (e.g., low density residential, shopping mall, highway, etc.)
3. Total area of the site and the area of the site that is expected to be disturbed (i.e., grubbing, clearing, excavating, filling or grading, including off-site borrow, fill or spoil areas and off-site utility installation areas).
4. Amount of the impervious area and percent imperviousness created by the construction activity
5. Name and/or location of the immediate receiving stream or surface water (s) and the first subsequent named receiving water and the major river watersheds in which it is located.

b) A site plan showing the location of the following:

- a. The larger common plan of development or sale.
- b. Property lines including Owner information for the development parcel and adjacent parcels.
- c. The limits of earth disturbing activity.
- d. Existing and proposed topography shall be shown in one-foot intervals.
- e. Existing and proposed drainage patterns and facilities of the site including any

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

b) The person or entity responsible for continued maintenance of all vegetative and/or mechanical BMPs for both the construction and Post-Construction phases of the development shall be identified and a written agreement shall be entered into by the City and responsible entity for continued maintenance.

c) Long-term maintenance requirements and schedules of all BMPs for both the construction and Post-Construction phases of the development will be identified.

d) This plan will contain long-term maintenance inspection schedules, including the printed name and contact point of the Post-Construction landowner (e.g., president of the homeowners association, store manager, apartment complex manager, etc.)

e) This plan will identify the person or entity financially responsible for maintaining the permanent inspection and maintenance of permanent storm water conveyance and storage structures and other conservation practices.

f) The method of ensuring that funding will be available to conduct the long-term maintenance and inspections of all permanent storm water, soil erosion and sediment control and water quality practices will be identified.

g) Maintenance plans must ensure that pollutants collect within structural Post-Construction BMP practices be disposed of in accordance with local, state and federal guidelines.

h) Maintenance plans shall be provided by the permittee to both the City Engineer and the Post-Construction operator of the BMP (including homeowner associations) upon completion of construction activities and prior to the City Engineer giving final approval for the completed construction.

i) Single-Family Residential Developments: A Homeowners' Association shall be created and placed in title of the affected lands and shall be continuously responsible for Post-Construction maintenance and inspections into perpetuity unless such maintenance and inspections become officially accepted by the Community.

j) Multi-Family, Commercial and Industrial Developments: The plans will clearly state that the owner of the property shall be continuously responsible for Post-Construction maintenance and inspections into perpetuity unless such maintenance and inspections become officially accepted by the Community.

k) Maintenance Design: Low maintenance requirements are a priority in the design and construction of all facilities. Multi-use facilities incorporating assets such as aesthetics and recreation may be incorporated into the design of the drainage facilities. All permanent drainage, soil erosion, sediment control, water quality management systems and BMPs, including on-site and off-site structures and vegetation that are constructed or planted, must be inspected and maintained into perpetuity by the responsible party designated in the plans and the requirements of this chapter. Inspections and maintenance will be

RECORD OF ORDINANCES

9

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20 _____

- (a) Fees shall be paid in an amount specified by the City Engineer. The Community shall apply these fees to storm water management practices that improve the existing water quality.
- (b) Implementation of off-site storm water management practices.
- (c) Watershed or stream restoration.
- (d) Retrofitting of an existing storm water management practice.
- (e) Other practices approved by the City Engineer in keeping with the intent of this section.

933.14 COMPLIANCE WITH OTHER RULES AND REGULATIONS:

- (a) Ohio Dam Safety Laws: The provisions of the Ohio Dam Safety Laws shall be followed. Proof of compliance with the Ohio Dam Safety Law administered by the ODNR Division of Water shall be, but is not limited to, a copy of the ODNR Division of Water permit number or a copy of the project approval letter from the ODNR Division of Water or a letter from the site owner explaining why the Ohio Dam Safety Law is not applicable. The written proof will be provided to the City Engineer before a construction permit will be issued.
- (b) NPDES Permits: The provisions of the National Pollutant Discharge Elimination System (NPDES) Permits for construction activity, by the Ohio EPA, shall be followed. Proof of compliance shall be, but is not limited to, a copy of the Ohio EPA NPDES Permit number or a letter from the site owner explaining why the NPDES Permit is not applicable. The written proof will be provided to the City Engineer before a construction permit will be issued.
- (c) Federal and State Wetland Permits: The provisions of the U.S. Army Corps of Engineers dredge and fill permits for federally-protected wetlands shall be followed. The provisions of Ohio EPA's Isolated Wetlands Permits shall also be followed. Wetlands and other waters of the United States shall be delineated by protocols accepted by the U.S. Army Corps of Engineers and the Ohio EPA at the time of the application of these regulations. Written proof of compliance with both permit programs will be provided to the City Engineer before a construction permit will be issued. Proof of compliance shall be, but is not limited to, the following:
 - (1) A copy of the U.S. Army Corps of Engineers Individual Permit, if required for the project, showing project approval and any restrictions that apply to site activities; or
 - (2) A site plan showing that any proposed fill of waters of the United States conforms to the general and specific conditions specified in

RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

(c) The Community shall require a Security Bond, Escrow Account, Certified Check or Cash to guarantee that the planned temporary and permanent soil erosion, sediment control and water quality practices will be constructed and removed in a timely manner, as determined by the City Engineer.

1. The Guarantee: The guarantee of both performance and maintenance will be in the form of a Security Bond, Escrow Account, Verified Check or Cash. The security Bond, Escrow Account, Verified Check or Cash will be used by the Community to complete any guaranteed construction or removal of improvements or temporary and permanent soil erosion, sediment control and water quality practices that are not adequately completed, maintained or removed by the owner in a timely manner, as determined by the City Engineer. The Security Bond, Escrow Account, Verified Check or Cash will be in the total amount of both the performance guarantee and the maintenance guarantee. Ohio municipalities and counties may require performance bonds or other guarantees for water management improvement as stated in the ORC Chapter 711.101.

A. Security Bond, Escrow Account, Verified Check or Cash shall be deposited with the Community prior to review by the City Engineer and/or its consultants to cover professional services of the City Engineer, Building Commissioner, Zoning Inspector and/or other experts required by the City Engineer, Community Council, Mayor or Review Boards.

B. No soil disturbing activities shall be permitted until a Security Bond, Escrow Account, Verified Check or Cash has been posted to the satisfaction of the City Engineer sufficient for the Community to perform the obligations otherwise to be performed by the owner or person responsible for the development area as stated in this regulations, and to allow all work to be performed as needed in the event that the owner or person responsible for the development area fails to comply with the provisions of this regulation. The Security Bond, Escrow Account, Verified Check or Cash shall be released only after all work required by this regulation has been completed to the satisfaction of the City Engineer and all permit and inspection fees required by these regulations have been paid in full.

C. No project subject to this regulation shall commence without the Soil Erosion and Sediment Control, and Storm Water Management, and Water Quality Plans having been approved by the City Engineer or the Mahoning County Soil and Water Conservation District.

2. Performance Guarantee: The furnishing of a performance guarantee will be maintained in an amount of not less than 120% of the estimate approved by the City Engineer, of installation of the deferred improvements.

3. Maintenance Guarantee: The maintenance guarantee shall be maintained

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

- 2) Drawings will be on paper sized no larger than 24 inch by 36 inches.
- 3) An electronic copy of the drawings and plan shall be submitted in PDF format as directed by the City.

(f) The City Engineer shall review the plans, including the approval report from the local county SWCD, and shall approve or return these with comments and recommendations for revisions, within thirty (30) working days after receipt of the plan as described above. A plan rejected because of deficiencies shall receive a report stating specific problems and the procedures for filing a revised plan. At the time of receipt of a revised plan another thirty (30) day review period shall begin.

- a. Approved plans shall remain valid for two (2) years from the date of approval. After two (2) years the plan(s) approval automatically expires.
- b. No soil-disturbing activity shall begin before all necessary local, county, state and federal permits have been granted to the owner or operator.
- c. The Community will do construction inspections until the site is stabilized as determined by the City Engineer. The construction will not be considered completed until the City Engineer has conducted the Post Construction inspections.

Fees. 933.19

(a) For all subdivisions, new development, or re-development of residential and non-residential parcels that meet the requirements of this ordinance. The developer/owner shall submit a cash bond for the cost of engineering review by the City Engineer in the amount of Two Thousand Five Hundred Dollars (\$2,500). In the case of a subdivision, this fee is in addition to the subdivision review fee required under 1115.06(c); In the event minor review is required the remaining portion of the bond shall be refunded to the developer/owner. In the event major review is required by the City Engineer, and in the event greater cost than the cash bond is incurred, the developer/owner shall be billed for such additional costs.

(b) In addition to the above fee, the developer/owner shall be charged a fee by the City for the cost of engineering inspection by the City Engineer for all stormwater improvements to a new development, or re-development of residential and non-residential parcels covered under this ordinance. The developer/owner shall deposit with the Treasurer or Finance Director an amount of money to pay for engineering inspections of 10% of the stormwater construction cost, as approved by the City Engineer. In the case of subdivisions, the inspection fee shall be noted in Ordinance 1115.06 (e) of the Subdivision Regulations.

RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

(n) IMPERVIOUS COVER: Any surface that cannot effectively absorb or infiltrate water. This includes roads, streets, parking lots, rooftops, and sidewalks.

(o) INTERMITTENT STREAM: A natural channel that may have some water in pools but where surface flows are non-existent or interstitial (flowing through sand and gravel in stream beds) for periods of one week or more during typical summer months.

(p) LARGER COMMON PLAN OF DEVELOPMENT OR SALE: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

(q) LANDSLIDE: The rapid mass movement of soil and rock material downhill under the influence of gravity in which the movement of the soil mass occurs along an interior surface of sliding.

(r) LOCAL COUNTY SWCD: The local county Soil and Water Conservation District.

(s) NATURAL RESOURCES CONSERVATION SERVICES (NRCS): An agency of the United States Department of Agriculture, formerly known as the Soil Conservation Service (SCS).

(t) NPDES PERMIT: A National Pollutant Discharge Elimination System Permit issued by Ohio EPA under the authority of the USEPA, and derived from the Federal Clean Water Act.

(u) OHIO EPA: The Ohio Environmental Protection Agency.

(v) OUTFALL: An area where water flows from a structure such as a conduit, storm sewer, improved channel or drain, and the area immediately beyond the structure which is impacted by the velocity of flow in the structure.

(w) PERSON: Any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, township, county, state agency, the federal government, or any combination thereof.

(x) PROFESSIONAL ENGINEER: A person registered in the State of Ohio as a Professional Engineer, with specific education and experience in water resources engineering, acting in strict conformance with the Code of Ethics of the Ohio Board of Registration for Engineers and Surveyors.

(y) REDEVELOPMENT: The demolition or removal of existing structures or land uses and construction of new ones.

(z) RETENTION BASIN: A storm water management pond that maintains a permanent pool of water. These storm water management ponds include a

RECORD OF ORDINANCES

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GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. _____

Passed _____, 20____

(nn) SOIL CONSERVATION SERVICE, USDA: The federal agency now titled the "Natural Resources Conservation Service", which is an agency of the United States Department of Agriculture.

(oo) SOIL STABILIZATION: Vegetative or structural soil cover that controls erosion, and includes permanent and temporary seed, mulch, sod, pavement, etc.

(pp) SOIL SURVEY: The official soil survey produced by the Natural Resources Conservation Service, USDA in cooperation with the Division of Soil and Water Conservation, ODNR and the local Board of County Commissioners.

(qq) STORM WATER RUNOFF: Surface water runoff which converges and flows primarily through water conveyance features such as swales, gullies, waterways, channels or storm sewers, and which exceeds the maximum specified flow rates of filters or perimeter controls intended to control sheet flow.

(rr) STREAM. A body of water running or flowing on the earth's surface, or a channel with defined bed and banks in which such flow occurs. Flow may be seasonally intermittent.

(ss) USEPA: The United States Environmental Protection Agency.

(tt) WATERCOURSE: Any natural, perennial, or intermittent channel, stream, river or brook.

(uu) WATER RESOURCES: All streams, lakes, ponds, wetlands, water courses, waterways, drainage systems, and all other bodies or accumulations of surface water, either natural or artificial, which are situated wholly or partly within, or border upon this state, or are within its jurisdiction, except those private waters which do not combine or affect a junction with natural surface waters.

(vv) WETLAND: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

(ww) WETLAND SETBACK: Those lands within the Community that fall within the area defined by the criteria set forth in these regulations.

Section 2: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2021.

ATTEST:

PRESIDENT OF COUNCIL

Introduced by: _____

Motion No. _____

MOTION

A MOTION AUTHORIZING THE CITY MANAGER TO SIGN AN
AMENDED LEASE AGREEMENT WITH THE CARDINAL JOINT
FIRE DISTRICT FOR THE CITY OF CANFIELD

WHEREAS, the City of Canfield, Ohio desires to amend the Lease Agreement with the Cardinal Joint Fire District.

NOW, THEREFORE, IT IS HEREBY MOVED BY THE COUNCIL OF THE CITY OF CANFIELD, OHIO:

Section 1: The City Manager of the City of Canfield is hereby authorized to enter into an Amended Lease Agreement with the Cardinal Joint Fire District in accordance with the terms of the Amended Agreement attached hereto:

Section 2: That this Motion and all deliberations relating to the passage of this Motion were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2021.

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Motion was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to-wit: _____

_____.

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY